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EXAMINER

MANCHO, RONNIE M

ART UNIT

PAPER NUMBER

3663

DATE MAILED: 05/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/626,197

Applicant(s)

WAKO, HIKARU

Examiner

Ronnie Mancho

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 February 2005.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) 11-16, 19 is/are allowed.
6) ☒ Claim(s) 1-10, 17 and 18 is/are rejected.
7) ☒ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-10, 17 are rejected under 35 U.S.C. 102(b) as being anticipated by Kaplan et al (6401034).

Regarding claim 1, Kaplan et al (fig. 3, col. 9, lines 54+) disclose a method of displaying a POI icon at the location point of a POI on a map displayed by a navigation system, comprising:

defining a plurality of different POI categories (figs. 6, 15, 16), wherein some of the POI categories are further differentiated by type of goods or services within the category;

storing a location point and a type of POI for every POI in each category (col. 3, lines 34-58) having different types of POI (figs. 15, 16);

displaying the map image including POIs located on the map, wherein POI's from two or more categories can be displayed on the map at the same time, POI's within each category are displayed on the map by a common POI icon (figs. 15&16; col. 11, lines 7-67; fig. 3, col. 9, lines 54+) for that category, and the POI icons displayed on the map for different POI categories are different; and

for POI's having a stored type, displaying the type of POI within a category when a POI icon is selected (figs. 3&16; col. 7, lines 47-67) on the map image.

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Regarding claim 2, Kaplan et al (fig. 3, col. 9, lines 54+) disclose the method according to claim 1, wherein said POI category is restaurants (col. 3, lines 54-58) and said type of POI is type of food classified by country (fig. 9, col. 7, lines 60-67).

Regarding claim 3, Kaplan et al (fig. 3, col. 9, lines 54+) disclose the method according to claim 1, wherein the map is scrolled by an operation for moving a cursor 132, 136 (figs. 16, 4, 8, 9, etc; col. 6, lines 50-to col. 7, lines 108, also see “press back” icon or “press forward” icon) and the POI icon corresponding to a POI is selected (fig. 16, col. 11, lines 14-33; col. 12, lines 16-30) by said cursor 132, 136.

Regarding claim 4, Kaplan et al disclose the method according to claim 3, further comprising:

storing a POI name for each POI (col. 3, lines 40-58; fig. 8, col. 7, lines 47-59);

displaying POI names of a plurality of POI icons which are overlapped by the cursor (figs. 8, 3, 16; col. 7, lines 47-67); and

selecting the POI icon corresponding to a desired POI by selecting the POI name of said POI among said plurality of POI names (fig. 8; col. 7, lines 47-59).

Regarding claim 5, Kaplan et al disclose the method according to claim 1, wherein a destination is set after selecting the POI icon, thereby searching a route to the POI corresponding to said POI icon (fig. 3, col. 5, lines 55-67; col. 9, lines 54 to col. 10, lines 1-24).

Regarding claim 6, Kaplan et al disclose a method of displaying a POI icon at the location point of a POI on a map, displayed by a navigation system, comprising:

defining a plurality of different POI categories (figs. 6, 15, 16), wherein some of the POI categories are further differentiated by type of goods or services within the category;

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storing a location point and a type of POI for every POI in each category (col. 3, lines 40-58) having different types of POI;

presetting the type of POI in a selected POI category (col. 3, lines 40-58; fig. 8, col. 7, lines 47-67);

displaying the map image including POIs located on the map, wherein only POIs of said preset type of POI are displayed on the map by a common POI icon (figs. 15&16; col. 11, lines 7-67; fig. 3, col. 9, lines 54) for the selected category, and POI icons are displayable on the map at the same time for different POI categories and are different; and

for POIs having a stored type, displaying the type of POI within a category when a POI icon is selected (figs. 3&16; col. 7, lines 47-67) on the map image.

Regarding claim 7, Kaplan et al disclose the method according to claim 6, wherein one POI category is restaurants and said type of POI is type of food classified by country (figs 7-9; col. 7, lines 35 to col. 8, lines 1-14).

Regarding claim 8, Kaplan et al disclose the method according to claim 6, wherein the map is scrolled by an operation for moving a cursor and the POI icon corresponding to a POI is selected by said cursor (fig. 8; col. 7, lines 47-59).

Regarding claim 9, Kaplan et al disclose the method according to claim 8, further comprising:

storing a POI name for each POI (col. 3, lines 40-58; fig. 8, col. 7, lines 47-67);

displaying POI names of a plurality of POI icons which are overlapped by the cursor (fig. 8, col. 7, lines 47-67);; and

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selecting the POI icon corresponding to a desired POI by selecting the POI name of said POI among said plurality of POI names (fig. 8, col. 7, lines 47-67);.

Regarding claim 10, Kaplan et al disclose the method according to claim 6, wherein a destination is set after selecting the POI icon, thereby searching a route to the POI corresponding to said POI icon (col. 9, lines 54 to col. 10, lines 1-29; col. 12, lines 16-24).

Regarding claim 17, Kaplan et al disclose a navigation system for displaying a Point of Interest (POI) icon at the location point of a POI on a map, comprising:

means for storing a location point and a type of POI for every POI in each of a plurality of different POI categories (col. 3, lines 34-58; figs. 8&9, col. 7, lines 47-67), wherein POI's in at least some categories are further differentiated by type of goods or services within the category (figs. 15, 16);

means for displaying the map image including the POIs located on the map, wherein POIs from two or more categories can be displayed on the map, POIs within each category are displayed on the map by a common POI icon (figs. 7-9, 15, 16; col. 7, lines 47-67) for that category, and POI icons displayed on the map for different POI categories are different (figs. 15, 16);

means for selecting a POI icon (figs. 7-9, col. 7, lines 47-67; fig. 16) on the map image;
and

means for displaying the type of POI within a category when a POI icon is selected (figs. 7-9, col. 7, lines 47-67) for POIs having a stored type.

Regarding claim 18, Kaplan et al disclose a navigation system for displaying a Point of Interest (POI) icon at a displayed location point of a POI on a map, comprising:

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means for storing a location point and a type of POI for every POI in each of a plurality of different POI categories (col. 3, lines 34-58; figs. 7-9, col. 7, lines 47-67), wherein POIs in at least some POI categories are further differentiated by type of goods or services within the category;

means for presetting the type of POI in a selected POI category (figs. 7-9, col. 7, lines 47-67);

means for displaying the map image including the POIs located on the map, wherein only POIs of said preset type of POI are displayed on the map by a common POI icon (figs. 7-9, col. 7, lines 47-67) for the selected category;

means for selecting a POI icon (figs. 7-9, col. 7, lines 47-67; fig. 16) on the map image; and

means for displaying the type of POI within a category, when a POI icon is selected (col. 3, lines 40-58; figs. 8&9, col. 7, lines 47-67) for POIs having a stored type.

Allowable Subject Matter

1. Claim 11-15, 16, and 19 are allowed.
2. The following is an examiner's statement of reasons for allowance:

In claims 11, 19, the prior art does disclose a list. Claims 12-15 are allowed for depending on claim 11.

In claim 16, the prior art does not disclose the limitation "displaying only one POI icon and deleting the other POI icons, when a plurality of the same POI icons are included within said predetermined area indicated by cursor".

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Response to Arguments

3. Applicant's arguments filed 2/22/05 have been fully considered but not persuasive.

The applicant argues that Kaplan discloses "X" to represent an icon. The examiner respectfully disagrees. Kaplan does not disclose "X" to represent an icon. Instead, in Kaplan, fig. 16, a map is indicated with different POI icons [POI icon (2) and POI icon (1)] that represent restaurants where the arrow is pointing; Therefore, POI icon (2) is different from POI icon (1), and are distinct from each other as shown on the map of fig. 16.

Next, the applicant argues that the prior art does not show that a POI icon is displayed when a POI icon is selected on the map. The examiner disagrees. In Kaplan, fig. 16 clearly shows a selection of a POI icon represented by a circle.

It is believed that the rejection is proper and thus stands.

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


Communication

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronnie Mancho whose telephone number is 571-272-6984. The examiner can normally be reached on Mon-Thurs: 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Black can be reached on 571-272-6956. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-7687 for regular communications and 703-305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

Ronnie Mancho
Examiner
Art Unit 3663


THOMAS G. BLACK
SUPERVISORY PATENT EXAMINER
GROUP 3600